

a plurality of first fastener members each mounted in an aperture of the backing plate, each first fastener member including a non-circular shaped head configured to prevent rotation of the first fastener members relative to the backing plate (emphasis added).

B. The Examiner's Untenable Positions

First, the Official Action takes the position that Katoh discloses a head body 116 (corresponding to the claimed "backing plate") bonded to a porous disk 117 (corresponding to the claimed "showerhead") (Official Action at page 2, ¶2). However, porous disk 117 cannot be "bonded" to head body 116 because Katoh discloses that porous disk 117 is movable up and down relative to head body 116 (column 5, lines 5-8). Accordingly, because the basis for the rejection is an incorrect understanding of Katoh, the rejection should be withdrawn.

Second, the Official Action cites Katoh for disclosure of large-diameter through hole 137 (corresponding to the claimed "through aperture having a first portion") and small diameter through-hole 138 (corresponding to the claimed "second portion") in head body 116. However, Katoh discloses large-diameter through hole 137 and small diameter through-hole 138 in head body 116 being larger than elevation shaft 134 to provide small clearance 139 and large clearance 140, respectively (column 6, lines 24-36). Upper ends of the elevation shafts 134 are fixed to an elevation ring 133 and lower ends of the shafts penetrate through and downward from head body 116. Fixing ring 136 is fixed to the bottom of elevation shafts 134, which is attached to porous disk 117 by screws (column 5, lines 49-65). To the extent large-diameter through hole 137 and small diameter through-hole 138 are considered the claimed "aperture," there is no fastener having a non-circular

head mounted in each "aperture." Accordingly, the rejection is improper and should be withdrawn.

Third, the Official Action cites "piece set" in large-diameter through hole **137** shown in FIG. 9 of Katoh for the claimed "fastener member" mounted in large-diameter through hole **137** and small diameter through-hole **138**; and fasteners including a circular-shaped head. However, elevation shafts **134** have no "heads" in large-diameter through hole **137** and small diameter through-hole **138**. Accordingly, because the basis for the rejection is an incorrect understanding of Katoh, the rejection should be withdrawn.

Fourth, the Official Action acknowledges various features missing in Katoh (Official Action at pages 12-18; a discussion of Hao and Nishimura begins at page 18). The Official Action acknowledges that Katoh does not disclose a "graphite backing plate" and "silicon showerhead" (Official Action at page 12, ¶ i-ii), but cites Hao for the alleged disclosure of a graphite backing plate and a silicon showerhead electrode (Official Action at page 18, lines 13-14). The Official Action further acknowledges that Katoh does not disclose fastener members with a "non-circular shaped head" or "T-nuts having a T-shape" and cites Nishimura for the disclosure of a T-slot nut **10** (Official Action at page 18, lines 15-20).

Fifth, the Official Action contends that it would have been obvious to use Hao's materials for Katoh's apparatus (Official Action at page 19); and replace Katoh's "piece set" with Nishimura's T-slot nut **10**. However, making porous disk **117** of Hao's materials will not produce a showerhead electrode bonded to a backing plate and use of T-slot nut **10** in Katoh makes absolutely no sense. Katoh uses elevation shafts **134** extending through and beyond large-diameter through hole **137** and small diameter through-hole **138**; there are no "heads" of fasteners in large-diameter

through hole **137**. The Examiner's proposed modification of Katoh is illogical and to the extent understood fails to produce the claimed subject matter. Accordingly, because the basis for the rejection is an incorrect understanding of Katoh, the rejection should be withdrawn.

Conclusion

For at least the foregoing reasons, Applicant respectfully submits that all pending claims are allowable, and this application is in condition for allowance.

Respectfully submitted,

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